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OFFICE OF PETITIONS

In re Application of :
Zheng :
Application No. 10/688,598 : ON PETITION
Filed: October 17, 2003 :
Attorney Docket No. PAT-1357-CON :

This is a decision on petition to withdraw the holding of abandonment under 37 CFR 1.181(no fee), filed March 5, 2007.

The Notice of Abandonment mailed February 20, 2007 indicates that the instant application was held abandoned for failure to file a proper reply to an Office letter mailed July 24, 2006.

A review of the record reveals that a non-final Office action was mailed on July 24, 2006. A reply in the form of an amendment was submitted on October 26, 2006 (certificate of mailing October 23, 2006). An advisory action in response to the non-final Office action was mailed November 17, 2006.¹

Accordingly, there was no Office action within the meaning of 35 USC 132 to which applicant failed to timely reply.

In view of the above, the petition to withdraw the holding of abandonment is hereby **GRANTED**.

The Notice of Abandonment is hereby **VACATED** and the holding of abandonment is **WITHDRAWN**.

¹It is noted that petitioner submitted a reply to the advisory action. A review of the record shows that this response has not been located. Petitioner has provided a copy of the response which contains a certificate of mailing date of November 22, 2006, pursuant to 37 CFR 1.8.

The application file is being referred to Art Unit 3636 for appropriate action in the normal course of business on the amendment submitted October 26, 2006.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charlema R. Grant
Petitions Attorney
Office of Petitions